



City of Greenville

Notice of Administrative Decision for Application # CU 16-313

This public notice is mailed to property owners within 300 feet of the subject property

Property Address: 1243 S PLEASANTBURG DR (TMS#: M01503-02-00600)

Application: Conditional Use Permit to operate a nightclub until 2 AM in a C-3, Regional Commercial District

Decision: Approved with Conditions

Conditions:

- 1) The Conditional Use Permit is limited to the Applicant, MB Upstate Hospitality Inc, and the business known as "Big Mike's," and is not transferrable.
- 2) Operation of the facility shall substantially conform to the information provided by the Applicant to the Technical Advisory Committee and the content of the application. Modification of the facility's operation shall require the Applicant to seek a modification of the Conditional Use Permit.
- 3) The use shall operate no later than 2 AM. No person under the age of 21 shall be allowed on the premises after 10 PM. At all times during its occupancy, the Applicant shall assign a manager on the premises who shall ensure compliance with the terms of this Permit, the City Code, and the applicable SC Code of Laws and Regulations. Operation of the business shall comply at all times with the provisions of the State Alcoholic Beverage Control Act and the Regulations of the Department of Revenue.
- 4) Maximum occupancy shall be determined by the City Building Codes department based on an approved seating plan. The Applicant shall designate sufficient staff to check ID's and manage people at the door(s), monitor the number of occupants inside the establishment, prevent over-crowding, and prevent loitering on the property. All building exits shall be alarmed or continuously manned by staff.
- 5) The Applicant shall retain a minimum of one (1) outdoor security person during hours of operation between 10 PM and 2 AM on Fridays and Saturdays and on any day when it is reasonably anticipated that a larger-than-average number of patrons will occupy the premises. The security person must possess a "Security Officer Registration Certificate" pursuant to Chapter 18 of Title 40 of the SC Code of Laws, or as an alternative, may be an off-duty sworn law enforcement officer. No other employee may serve in the capacity of the security person unless so certified.
- 6) A security plan or in-house procedures for managing disorderly conduct and emergency situations is encouraged to be maintained in the establishment and shared with local law enforcement.
- 7) Live music or disc jockey entertainment is permitted within the building until 1:30 AM, subject to the condition below regarding bass sound levels. Interior sound amplification shall be directed away from the principal entrance and directed toward the interior of the building. Except to provide ingress and egress, exterior doors and windows shall remain closed after 10 PM. Exterior sound amplification is prohibited at all times.
- 8) Low frequency (bass) sound is prohibited after midnight unless the Applicant provides documentation by an acoustical engineer who shall certify to the City that sound from the third floor nightclub use will not transmit noise and / or vibrations to nearby residential properties and that acoustic measures have been taken to ensure that sound, especially in the lower frequencies (bass) will not be transmitted to those nearby residences beyond what is considered normal background levels that currently exist as measured by a sound level meter.
- 9) Private events that are organized by someone other the Applicant shall comply with the conditions of this permit. A copy of the event / rental agreement shall be in the possession of the onsite Manager and available upon inspection by City Fire, Police or Zoning enforcement officers.
- 10) The Applicant and all of its managers and employees responsible for serving any alcoholic beverage (current and future) shall participate in the "Merchant Education / Server Training" Program offered by the Phoenix Center or comparable program offered by other vendor(s) approved by the Greenville Police

Department. Evidence of satisfactory completion of this training shall be retained for each employee on-site and available for inspection by the Administrator and the Greenville Police Department. Current personnel shall receive training within ninety (90) days of the date of the granting of this Permit and future personnel shall receive training within thirty (30) days of hiring.

- 11) A copy of the Conditional Use Permit shall be maintained with other posted occupancy information on the premises and made available for code enforcement inspections.

By application filed 5/09/16 the Applicant, MB Upstate Hospitality Inc dba "Big Mike's" requested a Conditional Use pursuant to Section 19-2.3.6, *Conditional Use Permit*; Section 19-4.1, *Table of Uses*; and Section 19-4.3.3, *Use Specific Standards*, of the Greenville City Code to operate a nightclub after midnight in a C-3, Regional Commercial District. Notice was mailed to property owners within 300 feet of the subject property on May 11, 2016. The Applicant met with the Technical Advisory Committee on May 16, 2016.

Findings:

- The Technical Advisory Committee made sufficient findings to recommend approval of the permit, subject to the conditions enumerated above and the Report of the Technical Advisory Committee.
- The use complies with the goals, policies, and standards of the ordinance and, in particular, with the standards of Section 19-4.3, *Use Specific Standards*.
- The infrastructure capacity is adequate to serve the conditional use.
- The use complies with the standards for granting a special exception:

The use is consistent with the comprehensive plan. The Future Land Use Map of the City's comprehensive plan designates the area as "Mixed-Use Community," which allows such uses as supermarkets, specialty stores, community parks, schools, medical offices, legal firms, mid-sized employers, community libraries and fire stations.

The use can be compatible with the character of surrounding lands. The use is located in an existing building on a wide commercial corridor, S Pleasantburg Dr (SC Hwy 291). Surrounding uses on the corridor include contractor offices and showroom, and professional offices and services. There are no other late night businesses in the vicinity. The Paramount Park residential neighborhood (platted in 1949, currently outside the City's corporate limits) is directly behind the subject property, and would be most impacted by the use.

Adverse impacts associated with the design of the use, which may include noise, incidents or nuisance behavior associated with the consumption of alcohol on-premises, and late-night activity adjacent to residential properties, are intended to be addressed by the conditions enumerated above.

Appeal:

Any person believing that the administrator erred in its decision has the right to appeal the decision to the City of Greenville Board of Zoning Appeals. The appeal form and fee must be submitted to the Planning and Development office within 10 business days after the decision is made, and must state the reasons he or she believes the decision is illegal, either in whole or in part.

Conditional Use Permit:

The Conditional Use Permit issued to the Applicant is required to be maintained with other posted occupancy information on the premises, available to city inspectors.

General Information:

The appropriate responsible party must obtain any necessary permits, certificates and/or licenses from the City of Greenville Permits and Licenses Office before beginning work, occupying premises, or starting a business.

Failure to comply with any conditions prescribed in conformity with the City of Greenville Code of Ordinances (Land Management), when made part of the terms under which this Conditional Use is granted, shall be deemed a violation of the City Code, punishable under penalties established by City Code.



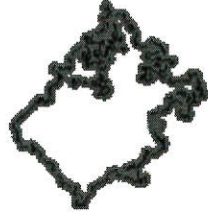
Nathalie Schmidt, AICP
Development Planner

June 21, 2016

Date



CU 16-313 - 1243 S Pleasantburg Dr



Legend

- Business Licenses 2015
- City of Greenville Limits
- 2015 Aerial Photography

Notes



This map is user generated from the City of Greenville's MapIT 2.0 intranet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable and should be appropriately used with caution. Contact the GIS Division for all questions pertaining to the MapIT 2.0 program and data.

400 0 200 400 Feet

NAD_1983_HARN_StatePlane_South_Carolina_FIPS_3900_Feet_Intl
© City of Greenville, SC Date Created: 5/11/2016

Application # <u>CU 16-313</u>	Fees Paid _____
Date Received: <u>5/9/16</u>	Accepted by <u>NS</u>
Date deemed complete _____	App Deny Conditions _____



APPLICATION FOR CONDITIONAL USE CITY OF GREENVILLE, SOUTH CAROLINA

APPLICANT / PERMITTEE: Big Mike's MBU State Hospitality LLC
*Operator of the proposed use; permit may be limited to this entity. Name Title / Organization
Restaurant & Bar

APPLICANT'S REPRESENTATIVE: Missy Lellis Global Consultants & Taxpayer Services LLC
(Optional) Name Title / Organization

MAILING ADDRESS: 139 Grace Dr. Easley SC 29601 29640

PHONE: 804-551-2602 EMAIL: Missy@gbc301.com

PROPERTY OWNER: Ted & Marsha Siachos MBB Enterprises LLC

MAILING ADDRESS: 494 Garlington Rd. Greenville SC 29615

PHONE: 804-233-0137 EMAIL: Missy@gbc301.com or tsiachos@aol.com

PROPERTY INFORMATION

STREET ADDRESS: 12435 Pleasantburg Dr. Greenville SC 29605

TAX PARCEL #: 101503020000 ACREAGE: _____ ZONING DESIGNATION: C3

REQUEST

Refer to Article 19-4, Use Regulations, of the Land Management Ordinance (www.municode.com/library/)

DESCRIPTION OF PROPOSED LAND USE: It's a site to Shopping Center
No Changes still remaining A "BAR"

INSTRUCTIONS

1. The application and fee, made payable to the City of Greenville, must be submitted to the planning and development office during normal business hours.
2. The applicant/owner must respond to the "standards" questions on page 2 of this application (you must answer "why" you believe the application meets the tests for the granting of a conditional use). See also **Section 19-2.3.6, Conditional Use Permit**, for additional information. You may attach a separate sheet addressing these questions.
3. For conditional use requests for nightclubs/bars, event venues, or businesses operating after midnight, the applicant must also submit the Zoning Compliance Application for Establishments Serving Beer, Wine, or Liquor.

4. You must attach a scaled drawing of the property that reflects, at a minimum, the following: (a) property lines, existing buildings, and other relevant site improvements; (b) the nature (and dimensions) of the proposed development (activity); (c) existing buildings and other relevant site improvements on adjacent properties; and, (d) topographic, natural features, etc. relevant to the requested special exception.

5. You must attach the required application fee: \$250.00

6. The administrator will review the application for "sufficiency" pursuant to **Section 19-2.2.6, Determination of Sufficiency**, prior to routing the application for staff review. If the application is determined to be "insufficient", the administrator will contact the applicant to request that the applicant resolve the deficiencies. **You are encouraged to schedule an application conference with a planner, who will review your application for "sufficiency" at the time it is submitted. Call (864) 467-4476 to schedule an appointment.**

7. **Please read carefully:** The applicant and property owner affirm that all information submitted with this application; including any/all supplemental information is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

In addition the applicant affirms that the applicant or someone acting on the applicant's behalf has made a reasonable effort to determine whether a deed or other document places one or more restrictions on the property that preclude or impede the intended use and has found no record of such a restriction.

If the planning office by separate inquiry determines that such a restriction exists, it shall notify the applicant and advise them to withdraw or modify the application in a timely manner, or act to have the restriction terminated or waived.

To that end, the applicant hereby affirms that the tract or parcel of land subject of the attached application is _____ or is not _____ restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the requested activity.

Chelsea Holts POA. APPLICANT SIGNATURE
5/9/14 DATE
Ted Becker PROPERTY OWNER SIGNATURE
5/9/14 DATE

**Applicant Response To
Section 19-2.3.6(D), Standards – Conditional Use Permit**

(You may attach a separate sheet)

1. Describe the ways in which the proposal complies with the goals, policies, and standards of the ordinance and, in particular, with the standards of **Section 19-4.3, Use Specific Standards**.

Complies with Previous ownership

2. Describe the ways in which the infrastructure (roads, potable water, sewerage, schools, parks, police, fire, and emergency facilities) capacity is adequate to serve the proposed conditional use.

Existing Building & Business



city of greenville

Zoning Compliance Application

Establishments Serving Beer, Wine, Or Liquor

Applicant

Name Big Mikes Phone 277-9020
Mailing Address 1243 Pleasantburg Dr. Greenville SC 29605
Email Lissy@gbc301.com
Signature of Applicant Cornie J. Bennett Date 5/9/16

Property Owner

Name Ted + Marlene Siachos Phone 233-0137
Mailing Address 1 1243 Pleasantburg Dr. Greenville SC 29605
Email Lissy@gbc301.com
Signature of Property Owner Ted Siachos Date 5/9/16

Property Information

Address 1243 S. Pleasantburg Dr. Greenville SC 29605
TMS# 101503020000 Zoning District Designation C3

Description of Proposed Use

Provide details for each of the following, as applicable, on a separate sheet:

Operating Plan

1. Type of Use (Restaurant, Nightclub, Event Venue, Etc.)
2. Days and Hours of Operation
3. Staffing Schedule
4. Kitchen Equipment Schedule
5. Menu and Hours of Food Service
6. Parking for Customers and Employees
7. Designated Smoking Area
8. Type of Entertainment and Duration
9. Closing / "Last Call" Procedures

Security Procedures

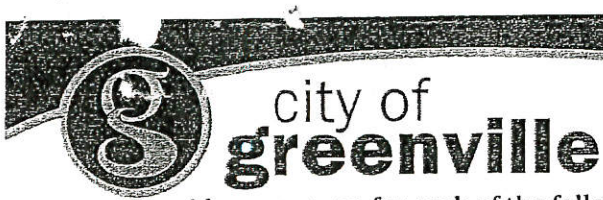
1. Number and Type of Designated Security Staff
2. Training / Certification of Staff
3. Specific Duties / Responsibilities of Staff
4. Entry / Exit / Re-Entry Procedures
5. Crowd Management
6. Crime Prevention through Environmental Design (CPTED)

Seating Plan

1. Provide a floor plan, drawn to scale, by a registered South Carolina architect. The plan must demonstrate the proposed occupancy with calculations based on the current adopted building code.
2. Schedule a feasibility inspection of the property: 864.467.4457

Business Plan

1. Business Plan Summary: Target Audience, Theme, Objectives / Goals
2. Projected Revenue: % Alcohol Vs. Food Sales
3. Fees For Entry / Membership / Entertainment
4. Status Of City Business License Application
5. Status Of SCDHEC 'Retail Food Establishment' Permit, If Applicable
6. Status Of ABL-901 Application To SC Department Of Revenue
7. Provide Documentation That Sled Requirements Have Been Met



Provide a response for each of the following:

1. Describe the ways in which the proposed use is consistent with the comprehensive plan.
Mixed Use, Fits in.

2. Describe the ways in which the request is appropriate for its location and is compatible with the character of existing and permitted uses of surrounding lands and will not reduce the property values thereof.
Continuation of existing Business

3. Describe the ways in which the request will minimize adverse effects on adjacent lands including: visual impacts; service delivery; parking and loading; odors; noise; glare; and, vibration. Describe the ways in which the request will not create a nuisance.
Refer to Security Produced will not will be occupied consistently with previous ownership

Meet With the Technical Advisory Committee

Applications for Zoning Compliance will be reviewed by the Technical Advisory Committee (TAC), a City Staff committee comprised of representatives from the following City Departments and appointed by the City Manager:

Building Codes and Inspections
Business Licensing
Economic Development
Public Information and Events

Police
Fire
Planning
Legal

The Technical Advisory Committee convenes once-a-month to meet with Applicants and review Conditional Use Permit applications that may be granted by the Zoning Administrator. This process promotes a more comprehensive understanding of the Applicant's proposal, which in turn conveys a more comprehensive understanding of the multiple Departments' operating requirements and expectations.

The Applicant, Business Owner, and Property Owner (if different) are required to attend a regularly scheduled TAC meeting prior to granting a Conditional Use Permit. Managers and anyone involved in operating the business are also encouraged to attend. The meeting date, time, and exact location within City Hall will be confirmed upon submittal of this application to the Planning and Development office on the 5th floor of City Hall.

Big Mike's

Phone: 864-277-9020

Operation Plan

- Type of Business is Restaurant/Bar
- Hours of operation are Monday through Sunday 4:00pm through 2:00am.
- Staffing Schedule will Monday Through Sunday 4:00pm through 2:00am.
- Kitchen Equipment Schedule; 4:00pm-2:00am Monday through Sunday
- Menu and Hours of Food Service; Monday Through Sunday 4:00pm-2:00am See Attached Menu
- Parking for Customers and Employees; Within Shopping Center area, has access for customer, Employees Its officers and agents
- Type of Entertainment and Duration/ Karaoke, Live Band
- Closing/" Last Call" Procedures; 1:30am Monday Through Sunday

Security Procedures

- Number and Type of Designated Security staff; Depends on event, No Event 1 Person Checking ID at the front door, 1 Security in parking lot. Special Events 2 People at the front door checking ID, 2 in uniform people in parking lot
- Specific Duties/Responsibility of staff; Cook-Kitchen, cleaning Bartender-Serving alcohol and checking customer's ID. Waitress- Serving Alcohol and checking customer ID.
- Entry/Exit/Re-Entry Procedures; Front Door and Emergency Exit in Rear
- Crowd Management; Uniform Security
- Crime Prevention through Environmental Design; Building Secured by alarm and Secured by Greenville County. ID Check to avoid any kind serving to underage. During business hours all employees are to report any incidents to management

Business Plan

- Projected Revenue: % Alcohol Vs. Food sales; Alcohol 38% - Food 32%
Fees for Entry / Membership/Entertainment – No Fee's
- Status of City Business License Application; Submitted, pending approval based on the results of this application
- Status of SCDHEC 'Retail Food Establishment' Permit; Approved Grade A
- Status of ABL-901 Application to SC Dept. Of Revenue- Approved see attached
- Provided Documents for sled; See Attached

Sandwiches & Burgers

Appetizers

Onion Rings
\$5

Fry Basket \$3

Cheese Sticks
\$6

Cheese
Quesadilla \$4
Add Chicken - \$2.50
Add Steak - \$3.50
Add Peppers, Onions
or Mushrooms - \$.50

Potato Skins \$6.50

Jalapeno Poppers \$6.50

Mini Corndogs \$6

Southwest Eggroll \$7

Fried Pickles \$5

Fried Okra \$4



Salads

Tossed Salad

Lettuce, cheese, tomato & onion

Grilled or Fried Chicken Salad



Lettuce, tomato,
cheese, cucumber,
bell pepper,
Banana pepper &
crouton

Dressings: Ranch, 1000 Island, Honey Mustard
Balsamic Vinaigrette, French, & Creamy Italian.

Baskets

Chicken Tenders \$7.50
Extra tenders \$1.25/pc

Fried Fish \$7
For Tilapia add \$1.50
Extra fish \$2.50
Extra Tilapia \$3.50

Shrimp \$8.50

Bologna \$4

Fish \$5
For Tilapia add \$1.50

Chicken \$5
Fried or Grilled

Turkey Burger \$5

Hamburger \$4.50
Add Cheese .50
Add Bacon \$1.25

Ribeye Steak Sandwich \$6.50

Chicken Philly \$6
Peppers, onions and mushrooms

Philly Cheesesteak \$7.50
Peppers, onions and mushrooms

Po' Boy \$8.50

Each sandwich comes with Mayo, lettuce & tomato.
For Fries & Coleslaw, add \$2.00

Wings

6 wings \$5.50
6 wing combo \$7
12 wings \$9.50
12 wing combo \$10.50
24 wings \$17.50



Flavors: Southern Fried, Mild, Hot & Spicy,
Honey Mild, BBQ, Lemon Pepper, Teriyaki,
Bourbon, Gold & Volcano.

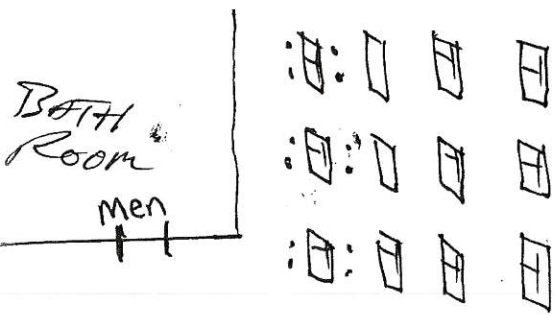
Sauce splits on orders of 12 or more.

All flats or all drums add \$1.00

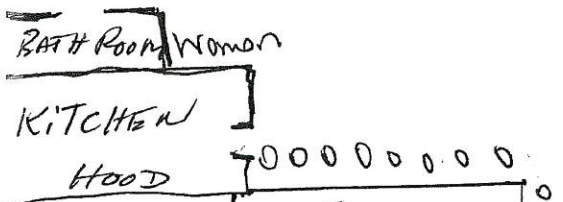
Sides

2 oz dressing \$.50
3 oz dressing \$.75
Side of wing sauce \$1.00
Cheese \$.50
Bread \$.25
Celery (6) \$1.00

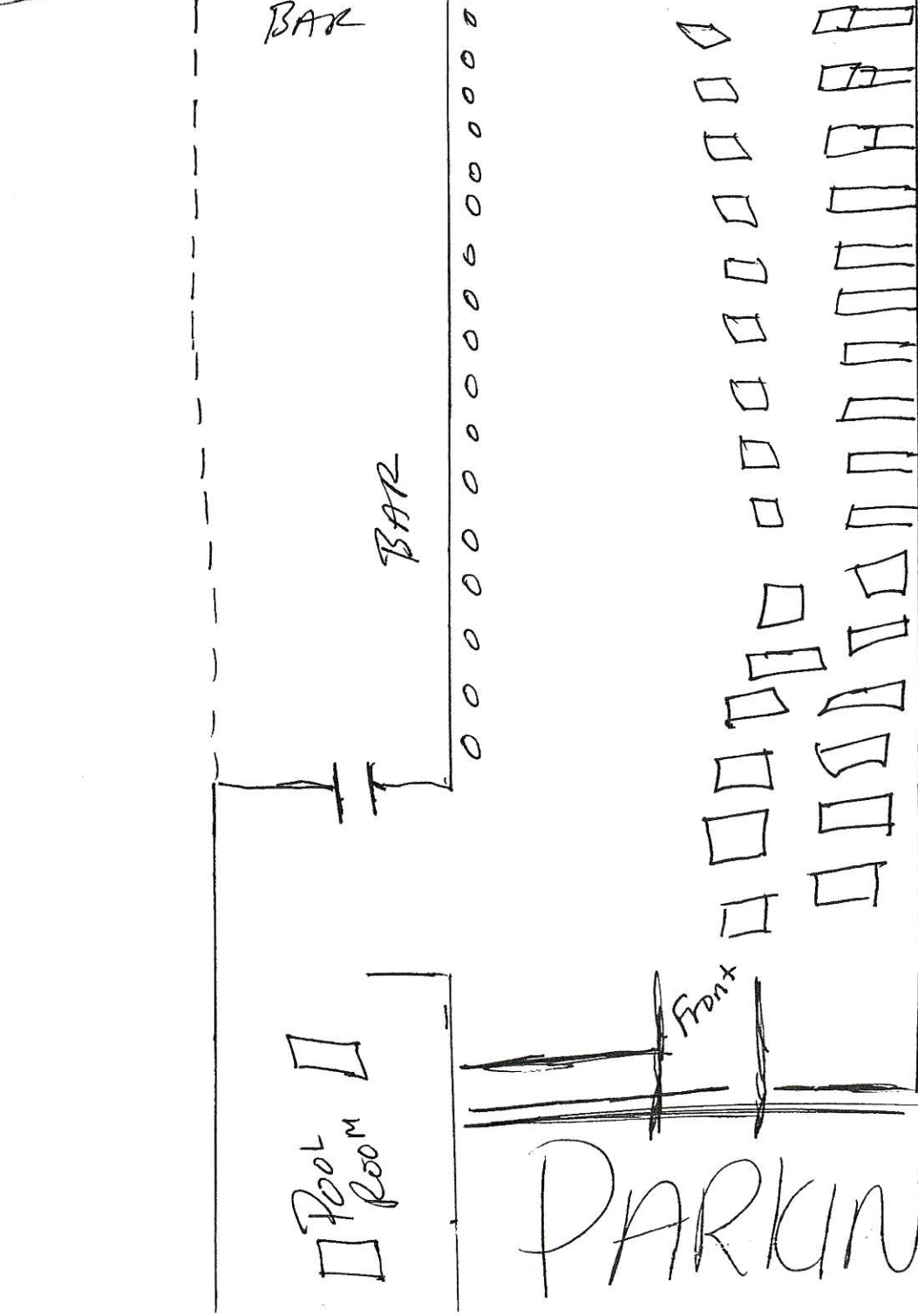
All to go orders add \$.50



Big Mike's
2014



SIDE EXIT



PARKING

Capacity
"99"

PARKING